

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
at CHATTANOOGA

AMSOUTH BANK,)
)
Plaintiff,)
)
v.) Case No. 1:06-cv-92
) Judge Mattice
)
DR. WILLIAM E. BLALOCK III, et al.,)
)
Defendants and Third-Party)
Plaintiffs,)
)
v.)
)
JEFFREY K. WILLIS, et al.,)
)
Third-Party Defendants.)

ORDER

Defendants Jeffery K. Willis, Willis Automotive Group, Inc, Willis Manufacturing, Inc., and Avantech Manufacturing, LLC filed a Motion to Consolidate [Court Doc. 100] asking the Court to consolidate this action with two cases also filed in this court involving the same Defendants (1:07-cv-33 and 1:07-cv-212). The Court referred [Court Doc. 109] the Motion to Consolidate to Magistrate Judge William B. Mitchell Carter for a report and recommendation on whether the court should consolidate the three cases.

Magistrate Judge Carter filed his report and recommendation [Court Doc. 115] pursuant to 28 U.S.C. § 636(b)(1) and Federal Rule of Civil Procedure 72(b) on November 13, 2007. Magistrate Judge Carter recommended that the Court deny Defendants' Motion to Consolidate. Neither party filed an objection within the given 10 days.

After reviewing the record, the Court agrees with Magistrate Judge Carter's report and recommendation. The Court thus **ACCEPTS** and **ADOPTS** the findings of fact,

conclusions of law, and recommendations contained in Magistrate Judge Carter's report and recommendation [Court Doc. 115] pursuant to § 636(b)(1) and Rule 72(b). Accordingly, Defendants' Motion to Consolidate [Court Doc. 100] is **DENIED**.

SO ORDERED this 10th day of December, 2007.

/s/Harry S. Mattice, Jr.
HARRY S. MATTICE, JR.
UNITED STATES DISTRICT JUDGE